Remarks

Claims 1 – 22 are pending. Claims 1 – 22 are rejected. Applicants respectfully traverse the rejection and request allowance of claims 1 – 22.

Claims 1 – 22 are rejected under 35 USC 102(e) as being anticipated by Andreason (US 6,687,354). Claim 1 requires:

1. A method for transferring a facsimile using a Transmission Control Protocol/Internet Protocol (TCP/IP) network, the method comprising:

converting the facsimile into application packets that indicate individual application packet lengths;

converting the application packets into TCP/IP packets;

transferring the TCP/IP packets to the TCP/IP network and receiving the transferred TCP/IP packets from the TCP/IP network;

converting the transferred TCP/IP packets into application packets; and

converting the transferred application packets into the facsimile using the individual application packet lengths.

Andreason does not teach or even talk about facsimiles. Claim 1 is a method for transferring a <u>facsimile</u> using a TCP/IP network (underline added). Claim 1 requires "converting the facsimile into application packets." Andreason can not convert a facsimile into application packets when it does not have a facsimile to convert.

Further the application packets in claim 1 indicate "individual application packet lengths". These "individual application packet lengths" are preserved through the transmission in the TCP/IP network and used when "converting the transferred application packets into the facsimile". Claim 1 requires that the "individual application packet lengths" created when converting the facsimile into application packets be used to recreate the facsimile once the facsimile has been transferred over the TCP/IP network. The length indicated in a frame of a PPP protocol packet is not preserved through the transmission on the TCP/IP network in Andreason. Therefore Andreason dose not use the length indicated in the PPP frame to convert the PPP packets back into a facsimile.

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"A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference." *Verdegaal Bros. V. Union Oil Co. of California,* 2 USPQ2d 1051, 1053 (Fed Cir. 1987). Here, the cited art does not teach a facsimile being converted into application packet that indicate individual application packet lengths. The cited art does not teach preserving the individual application packet lengths when transmitting the facsimile over the TCP/IP network. The cited art does not teach using the individual application packet lengths to convert the application packets back into a facsimile, therefore the cited prior art does not fulfilled the requirements for a *prima facie* case of anticipation. Therefore claim 1 is allowable as written.

Claims 2 – 5 are dependent on allowable claim 1 and are therefore allowable.

Claim 6 also requires converting application packets into a facsimile "using individual second application packet lengths in the second application packets". Therefore the arguments for claim 1 apply and claim 6 is allowable as written.

Claims 7 – 11 are dependent on allowable claim 6 and are therefore allowable.

The argument for claim 1 above applies to claim 12 and therefore claim 12 is allowable as written.

Claims 13 – 16 are dependent on allowable claim 12 and are therefore allowable.

Claim 17 also requires converting application packets into a facsimile "using individual second application packet lengths in the second application packets". Therefore the arguments for claim 1 apply and claim 17 is allowable as written.

Claims 18 – 22 are dependent on allowable claim 17 and are therefore allowable.

Applicants submit that there are numerous additional reasons in support of patentability, but that such reasons are moot in light of the above remarks and are omitted in the interests of brevity. Applicants respectfully request allowance of claims 1 – 22.

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